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8 **BEFORE THE**
9 **BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation and Third
Petition to Revoke Probation Against:

Case No. 845-A

12 STEVEN LEROY FALLON
13 P.O. Box 693
Newcastle, CA 95658

**ACCUSATION AND THIRD
PETITION TO REVOKE
PROBATION**

14 Civil Engineer License No. C 45670

15 Respondent.
16

17 Complainant alleges:

18 **PARTIES**

19 1. Joanne Arnold (Complainant) brings this Petition to Revoke Probation and
20 Accusation solely in her official capacity as the Interim Executive Officer of the Board for
21 Professional Engineers and Land Surveyors.

22 2. On or about August 27, 1990, the Board for Professional Engineers and
23 Land Surveyors (Board) issued Civil Engineer License Number C 45670 to Steven Leroy Fallon
24 (Respondent). The civil engineer license was in full force and effect at all times relevant to the
25 charges brought herein and will expire on December 31, 2010, unless renewed.

26 3. Effective August 31, 1998, Respondent's civil engineer license was placed
27 on probation for five years. The probation period has been extended several times (see paragraph
28 13, below) and on April 14, 2006 was ordered to remain in effect until August 31, 2009.

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1 the house prior to purchase, noticed a sag in the roof over the front entry. The homeowner
2 Vanderlaag referred the problem to Respondent who on February 28, 1997 issued "structural
3 calculations" and a "letter/written report" to homeowner Vanderlaag detailing a repair of the roof.
4 The repairs were made and Respondent certified the repairs on April 8, 1997. Reassured, Artale
5 purchased the home. In 2001, Artale becomes aware that the sag in the roof was much more
6 serious than he had been led to believe. Artale contacted Respondent who came out and made an
7 inspection of the roof on March 5, 2001. During the inspection, Respondent noted that the purlin
8 braces exceeded the unbraced length that 2x braces should maintain, as well as other problems
9 with the construction and/or repair of the roof. This and subsequent inspections revealed that
10 the repair work that had been approved by Respondent was inadequate in both planning and
11 execution, that Respondent had failed to make all of the necessary roof framing calculations and
12 then failed to properly inspect and report upon the state of the repairs after they were completed.

13 DISCIPLINE CONSIDERATIONS

14 13. To determine the degree of discipline, if any, to be imposed on
15 Respondent, Complainant alleges that:

16 a. In a disciplinary action entitled "In the Matter of Accusation Against
17 Steven Leroy Fallon," Case No. 578A, the Board for Professional Engineers and Land Surveyors
18 accused Respondent of engaging in unprofessional conduct. Respondent admitted the violations.
19 The Board issued a decision, effective August 31, 1998, wherein Respondent's civil engineer
20 license was revoked. The revocation, however, was stayed and Respondent's license was placed
21 on probation for a period of five (5) years with certain terms and conditions. A copy of the
22 decision in this matter is attached as Exhibit A and is incorporated by reference.

23 b. In a disciplinary action entitled "In the Matter of Accusation Against
24 Steven Leroy Fallon," Case No. 578A, the Board for Professional Engineers and Land Surveyors
25 Respondent was found to have violated the terms of his probation. As a result, the Board issued
26 a decision, effective July 25, 2003, in which the probationary period of Respondent's civil
27 engineer license was extended for an additional three (3) years with certain terms and conditions.
28 A copy of that decision is attached as Exhibit B and is incorporated by reference.

1 c. In a disciplinary action entitled "In the Matter of the First Amended
2 Accusation and Petition to Revoke Probation Against Steven Leroy Fallon" Case No. 578A, the
3 Board for Professional Engineers and Land Surveyors accused Respondent of violating the terms
4 of his probation, negligence and breach of contract. Respondent admitted the violations. The
5 Board issued a decision, effective April 14, 2006, in which the probationary period of
6 Respondent's civil engineer license was extended for a period of an additional three (3) years
7 with certain terms and conditions. A copy of that decision is attached as Exhibit C and is
8 incorporated by reference.

9 PRAYER

10 WHEREFORE, Complainant requests that a hearing be held on the matters herein
11 alleged, and that following the hearing, the Board for Professional Engineers and Land Surveyors
12 issue a decision:

- 13 1. Revoking or suspending Civil Engineer License Number C 45670, issued
14 to Steven Leroy Fallon.
- 15 2. Ordering Steven Leroy Fallon to pay the Board for Professional Engineers
16 and Land Surveyors the reasonable costs of the investigation and enforcement of this case,
17 pursuant to Business and Professions Code section 125.3;
- 18 3. Taking such other and further action as deemed necessary and proper.

19
20 DATED: April 29, 2009

21
22 *Original Signed*

23 JOANNE ARNOLD.
24 Interim Executive Officer
25 Board for Professional Engineers and Land Surveyors
26 State of California
27 Complainant